

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 234.6(4), the Department of Human Services proposes to amend Chapter 47, “Diversion Initiatives,” Iowa Administrative Code.

These amendments implement a new program, the Promoting Healthy Marriage Program. This program will use federal funds from the Temporary Assistance to Needy Families (TANF) block grant to provide information to certain households about the benefits of a healthy and stable marriage. The Department is implementing this program as a means of expanding categorical eligibility for Food Assistance, as directed by the Iowa General Assembly in 2010 Iowa Acts, House File 2526, section 7(4)(d)(2).

There will be no separate application for the Promoting Healthy Marriage Program. Eligibility for the program will automatically be determined when a household applies for Food Assistance. There will be no asset test for eligibility. The income limit will be 160 percent of the federal poverty level for the household size. Eligibility for this program will also establish categorical eligibility for the Iowa Food Assistance Program. Related amendments to Food Assistance rules are published herein as **ARC 9020B**.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

Any interested person may make written comments on the proposed amendments on or before September 14, 2010. Comments should be directed to Mary Ellen Imlau, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by E-mail to policyanalysis@dhs.state.ia.us.

These amendments are intended to implement Iowa Code section 234.6.

The following amendments are proposed.

ITEM 1. Rescind **441—Chapter 47**, Preamble.

ITEM 2. Adopt the following new Division I title and preamble:

DIVISION I PROMOTING HEALTHY MARRIAGE

PREAMBLE

These rules implement the Iowa promoting healthy marriage program. This program uses federal funds from the Temporary Assistance to Needy Families (TANF) block grant to provide information to certain households about the benefits of a healthy and stable marriage. Eligibility for this program also establishes categorical eligibility for the Iowa food assistance program under 441—Chapter 65.

ITEM 3. Adopt the following new rules 441—47.1(234) and 441—47.2(234):

441—47.1(234) Eligibility criteria. Eligibility for the promoting healthy marriage program is always determined in conjunction with determination of eligibility for the food assistance program under 441—Chapter 65.

47.1(1) Application. There is no separate application for the promoting healthy marriage program. Eligibility for the program is determined whenever the department determines a household’s eligibility for food assistance.

47.1(2) Resources. There is no asset test for the promoting healthy marriage program.

47.1(3) Income. The household's gross countable monthly income determined according to rule 441—65.29(234) must be less than or equal to 160 percent of the current federal poverty guidelines for the household size.

47.1(4) Otherwise eligible for food assistance. The household must meet all eligibility criteria for the food assistance program except as provided in this rule. A household that includes a member who is currently disqualified from the food assistance program due to an intentional program violation is not eligible for the promoting healthy marriage program.

47.1(5) Minimum food assistance benefit. The household must be eligible for a monthly food assistance benefit greater than zero. Households with a monthly food assistance benefit of zero are not eligible for the promoting healthy marriage program.

441—47.2(234) Notice and eligibility period. A household that meets all of the eligibility criteria in rule 441—47.1(234) shall receive written notice of its eligibility for the promoting healthy marriage program.

47.2(1) Written information. Households determined eligible for the program shall receive written information about the benefits of a healthy and stable marriage.

47.2(2) Eligibility period. A household that is determined eligible for the promoting healthy marriage program shall remain eligible for the program until the earlier of the following events:

- a. The household fails to meet the eligibility criteria under rule 441—47.1(234), or
- b. The household's food assistance certification period under 441—Chapter 65 ends.

ITEM 4. Adopt the following **new** implementation sentence for Division I:
These rules are intended to implement Iowa Code section 234.6.